

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

IN RE:)	
)	
JACKIE R. HUMPHREY, JR.)	CHAPTER 7
DEBRA SUE D. HUMPHREY)	
)	
Debtors.)	CASE NO. 12-70431

MEMORANDUM DECISION

This matter comes before the Court on the Objection filed by Robert E. Wick, the Chapter 7 Trustee, to a proof of claim filed in the above captioned matter. For the reasons set forth below, the Objection will be overruled.

The Debtors filed a voluntary petition for relief under Chapter 7 of the Bankruptcy Code on March 7, 2012. On Schedule F filed with the Debtors' Petition, the Debtors scheduled an unsecured debt owing to Alamont Dental Assoc. PC in the amount of \$682.30 for a dental bill. This debt was not marked as contingent, unliquidated or disputed by the Debtors. On May 3, 2012, Alamont Dental Associates, P.C. filed a Proof of Claim in the amount of \$535.77 for "services performed."¹ On September 20, 2012, the Trustee filed an Objection to Proof of Claim #1 of Alamont Dental Associates, P.C. on the basis that no supporting documentation was filed with the claim. The claimant had 30 days from the date of the Order entered September 20, 2012 to file a written response to the Objection. No response was filed by the claimant. The matter is currently scheduled for hearing on November 7, 2012.

¹ The claimant improperly docketed its claim as an amended claim #1 instead of docketing its claim as a separate claim. By separate order, the Clerk of this Court will be directed to correct this error and assign this claim a separate claim number (claim #8).

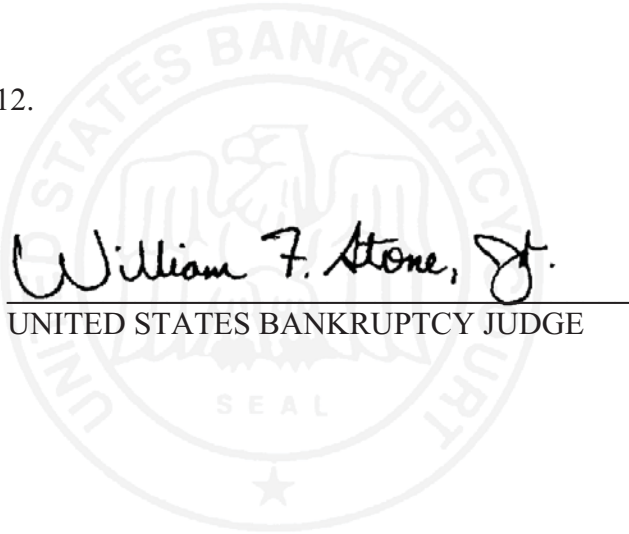
CONCLUSIONS OF LAW

This Court has jurisdiction of this proceeding by virtue of the provisions of 28 U.S.C. §§ 1334(a) and 157(a) and the delegation made to this Court by Order from the District Court on July 24, 1984 and Rule 3 of the Local Rules of the United States District Court for the Western District of Virginia. Objections to claims are “core” bankruptcy proceedings by virtue of 28 U.S.C. § 157(b)(2)(B).

As the Debtors listed in their schedules an undisputed debt owing to Alamont Dental Associates, P.C. in a slightly higher dollar amount than that listed in the claimant’s proof of claim and for the reasons set forth in a recent Memorandum Decision by the undersigned Judge, *In re Magic Wand*, Case No. 12-70404 (Bankr. W.D. Va. October 10, 2012), the Trustee’s Objection to the Claim of Alamont Dental Associates on the ground of lack of supporting documentation will be overruled.

An Order in accordance with the above decision will be entered contemporaneously herewith.

This 23rd day of October, 2012.


William F. Stone, Jr.

UNITED STATES BANKRUPTCY JUDGE